

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA)	CR 02-544-01-BR
)	
v.)	ORDER DISMISSING SUPERVISED
)	RELEASE VIOLATIONS AND
JOSEPH KELLY BANKS,)	TERMINATING SUPERVISION
)	
Defendant.)	

On April 29, 2004, The Honorable Owen M. Panner sentenced defendant to the custody of the Bureau of Prisons for a period of 41 months to be followed by a 3-year term of supervised release subject to standard and special conditions. The term of supervised release began April 7, 2006.

On September 25, 2006, The Honorable Donald C. Ashmanskas issued a Warrant of Arrest and Order to Show Cause why defendant's term of supervised release should not be revoked based on the probation officer's allegations that defendant violated the conditions of release.

On November 21, 2006, The Honorable Ancer L. Haggerty issued an amended petition or warrant and order to show cause why defendant's term of supervised release should not be revoked based on the probation officer's allegations that defendant violated the conditions of release.

On October 3, 2007, defendant appeared with counsel at a hearing to determine whether

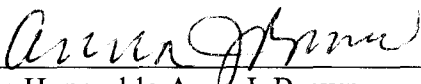
defendant's supervised release should be revoked.

It is the finding of the Court that defendant suffered from a mental disorder that rendered him unable to appreciate the nature, quality or wrongfulness of his actions as determined in the forensic evaluation dated April 23, 2007, by Cynthia Low Ph D at Seatac, Washington.

The court finds, therefore, that the defendant was not competent at the time the violations occurred. The Court dismisses the violations alleged in the petitions dated September 25, 2006, and November 21, 2006. The defendant has entered a plea of Not Guilty by Reason of Insanity to Felon in Possession of a Firearm filed in the District of Oregon in case number CR 06-445-01-BR.

IT IS ORDERED defendant's term of supervised release is terminated.

DATED this 9th day of October, 2007.



The Honorable Anna J. Brown
U.S. District Judge